

## **MINUTES**

### **North Carolina Criminal Justice Education and Training Standards Commission**

#### **Planning & Standards Committee May 10, 2016**

The Planning & Standards (P&S) Committee of the North Carolina Criminal Justice Education and Training Standards Commission met at Wake Tech Public Safety Center, Raleigh on May 10, 2016 at 11:15 a.m.

#### **Committee Members Present**

Commissioner Jeff Welty, Vice-Chair  
Commissioner Brent Herron  
Commissioner James Moore  
Commissioner Richard Epley  
Commissioner Trey Robison  
Commissioner Allen Smith  
Commissioner Teresa Jardon  
Commissioner James Fisher-Davis

#### **Guests Present**

Tracy McPherson, NCCCS, Commissioner  
Nathan Mizell, Nash CC, Commissioner  
Charles Walston, NCDPS, Commissioner  
King Thomas, NCDPS  
Lorrie Goldsmith, NCDPS  
Brenetta Holmes, NCDPS

#### **CJ Standards Staff Present**

Steven Combs  
Trevor Allen  
Richard Squires  
Charminique Branson  
Dawn Suffel  
Sharon Witherspoon  
Bob Overton  
Giovanni Gonzalez

#### **Call to Order**

Vice-Chair Jeff Welty called the committee meeting to order and declared a quorum.

#### **Approval of the February 10, 2016 Meeting Minutes**

**Motion** to approve was made by Commissioner Allen Smith and **seconded** by Commissioner Richard Epley.  
**Motion carried** unanimously.

#### **Rule-Making Hearing**

Under separate cover.

### **Interpretive Rule**

The interpretive rule lists job classifications that are “criminal justice officers” and so fall under the jurisdiction of the Commission. Representatives from DPS were present to support a request to amend the list to (1) remove certain probation and parole related job titles that are no longer in use, and (2) amend the list of corrections related job titles to conform to the titles recently adopted by DPS as a result of a reclassification study. **Motion** to adopt the changes and forward for approval by the full Commission was made by Commissioner Teresa Jardon and **seconded** by Commissioner Allen Smith. **Motion carried** unanimously.

### **Reserve Officer Certification**

CJ Standards Director Steven Combs reviewed from our February meeting a request by Commissioner Moore that moved staff to investigate whether the Commission, rather than a law enforcement agency, could “hold the certification” of officers who have retired or who have left the profession, but who may wish to re-enter the profession at a later time. Director Combs reported that after consulting with legal counsel that the Commission has no authority to do so.

### **Lateral Transfers**

Deputy Director Trevor Allen shared an impact analysis concerning the proposed revisions discussed at previous meetings whereby several agency heads summoned the committee to consider amending the Administrative Code provisions concerning lateral transfers, i.e, by removing the requirements that the transferring officer have: (1) a medical assessment, (2) a drug test, and (3) a fingerprint-based criminal record check. Much discussion followed, with several Commissioners stating that the requirements are essential to ensuring that transferring officers meet minimum standards. **Motion** to move forward with amending the Code was made by Commissioner Richard Epley and **seconded** by Trey Robison. **Motion did not carry.**

### **Discussion Moral Character**

Deputy Director Richard Squires suggested the need to revise **12 NCAC 09G .0206**, which defines good moral character in the corrections context. As currently written, the rule defines good moral character as six specific listed items, and so is very narrow. Many committee members recognized the need to revise the rule but there was disagreement about the best language to do so. The committee decided to table the issue and asked staff to work with legal counsel to draft a new proposed revision and present it at the August meeting.

### **Medical Guidelines**

Dr. Stephanie Crapo, Medical Director at the Highway Patrol, presented an outline of suggested changes to the current guidelines. She will continue working in consultation with a team of medical professionals, legal counsel, and Commission staff, and will bring a draft of proposed new guidelines to the August meeting.

### **Officer Awards Program**

#### **Recruitment & Retention Update**

Deputy Director Trevor Allen provided a brief update on both of these items. Rather than build an “officer of the year” type awards program that would require a new committee to administer, staff recommends an alternative “online recognition” for officers’ accomplishments. Further, Mr. Allen stated that the recruitment and retention study is underway for both the law enforcement side and the corrections side and provided current rate of response.

*Planning and Standards Committee Meeting*

**Next Meeting**

The next scheduled meeting of the Planning & Standards Committee will begin at 10:30 a.m. on Wednesday, August 10, 2016 at Wake Tech Community College, Public Safety Center, Raleigh.

**Motion to Adjourn**

**Motion** to adjourn was made by Commissioner Allen Smith and **seconded** by Commissioner Trey Robison.  
**Motion carried** unanimously.

**RULE-MAKING HEARING  
RULES REVISIONS**

**North Carolina Criminal Justice  
Education and Training Standards Commission  
May 10, 2016**

**Call to Order**

The Planning & Standards (P&S) Committee of the North Carolina Criminal Justice Education and Training Standards Commission met at the Wake Technical Community College, Public Safety Center on May 10, 2016. This committee presided over the public Rule-Making Hearing with Committee Vice-Chairman Jeff Welty calling the hearing to order at 11:15 a.m. Mr. Welty stated the purpose of the hearing is to receive remarks from any persons interested in commenting on the proposed amendments to the Commission's Administrative Rules.

**P&S Committee Members Present**

Commissioner Jeff Welty, Vice-Chair  
Commissioner Brent Herron  
Commissioner James Moore  
Commissioner Richard Epley  
Commissioner Trey Robison  
Commissioner Allen Smith  
Commissioner Teresa Jardon  
Commissioner James Fisher-Davis

**Guests Present**

Tracy McPherson, NCCCS, Commissioner  
Nathan Mizell, Nash CC, Commissioner  
Charles Walston, NCDPS, Commissioner  
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Steven Combs  
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Bob Overton  
Giovanni Gonzalez

Vice-Chairman Welty advised that proposed amendments would be read and, if needed, the amendments would be explained by staff. He stated that after the rules are presented and explained, anyone wishing to comment would be allowed to do so.

Vice-Chairman Welty read into the record the proposed rule amendments ---

**12 NCAC 09B .0701 MILITARY TRANSFEREES**

Change to comply with HB 761 governing the certification of military trained individuals. **Motion** to adopt change and to forward to the full Commission for approval was made by Commissioner Teresa Jardon and **seconded** by Commissioner Richard Epley. **Motion carried** unanimously.

**12 NCAC 09B .0205 BASIC LAW ENFORCEMENT TRAINING**

Updates the title of the *Alcohol Beverage Control (ABC) Laws and Procedures*. **Motion** to adopt change and to forward to the full Commission for approval was made by Commissioner Allen Smith and **seconded** by Commissioner James Fisher-Davis. **Motion carried** unanimously.

**12 NCAC 09B .0235 BASIC TRAINING JUVENILE COURT COUNSELORS & CHIEF COURT COUNSELORS**

**12 NCAC 09B .0236 BASIC TRAINING JUVENILE JUSTICE OFFICERS**

Updates training topics and associated hours. **Motion** to adopt change and to forward to the full Commission for approval was made by Commissioner Brent Herron and **seconded** by Commissioner Teresa Jardon. **Motion carried** unanimously.

**12 NCAC 09B .0305 TERMS & CONDITIONS OF SPECIALIZED INSTRUCTOR CERTIFICATION**

Removes language concerning SMI Instructor training & certification as SMI does not apply to specialized instructor categorization. **Motion** to adopt change and to forward to the full Commission for approval was made by Commissioner Richard Epley and **seconded** by Commissioner Trey Robison. **Motion carried** unanimously.

**12 NCAC 09E .0104 INSTRUCTORS: ANNUAL IN-SERVICE TRAINING**

**12 NCAC 09E .0105 MINIMUM TRAINING SPECIFICATIONS: ANNUAL IN-SERVICE TRAINING**

Changes clarify the definition of "Commission-accredited" and "Commission-recognized" training and specifies training topics require written testing and that lessons be in the ISD format. **Motion** to adopt change and to forward to the full Commission for approval was made by Commissioner Trey Robison and **seconded** by Commissioner Allen Smith. **Motion carried** unanimously.

Vice-Chair Welty noted for the record that there were no written comments received by the rule-making coordinator or any further comments received from those present. Mr. Welty announced end of the rule-making hearing.